

REMARKS

By the present Amendment, claims 1-8 are cancelled and claims 9-16 are added. This leaves claims 9-16 pending in the application, with claim 9 being independent.

Substitute Specification

The specification is revised to eliminate grammatical and idiomatic errors in the originally presented specification. The number and nature of the changes made in the specification would render it difficult to consider the case and to arrange the papers for printing or copying. Thus, the substitute specification will facilitate processing of the application. The substitute specification includes no "new matter". Pursuant to M.P.E.P. § 608.01(q), voluntarily filed, substitute specifications under these circumstances should normally be accepted. A marked-up copy of the original specification is appended hereto.

Rejections Under 35 U.S.C. § 112, Second Paragraph

Original claims 1-8 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. By the present Amendment, the originally filed claims have been rewritten to avoid the language alleged to be indefinite in the Office Action. All language of the presently pending claims is now believed to be clear and definite.

Thus, the pending claims are definite and comply with 35 U.S.C. § 112.

Rejection Under 35 U.S.C. §102 & §103

New independent claim 9 is based on a combination of original claims 1-5 and covers a filter device having at least one filter element 13 received in a filter housing 11. The filter housing has an inlet opening 41 for supplying contaminated fluid to a dirty side of the filter

element and an outlet opening 43 for flow of filter fluid from the filtered housing. The filter housing is located in a filter container 1 with fluid connections 5 and 7. A bayonet catch 19, 21 on the filter housing and the filter container releasably couple and disengage the filter housing and the filter container by rotation of the filter housing relative to the fluid container. A rotary disk valve 33 is pivotally mounted in the fluid container to open and close the fluid connections. The disk valve has inlet and outlet connecting sleeves 37 and 39 forming extensions of the fluid connections extending into the interior of the filter housing and transferring rotary motion of the filtering housing to the drive rotary disk valve. The inlet and outlet connecting sleeves penetrate the inlet and outlet openings of the filter housing, respectively. Inlet and outlet valves 51 and 53 are at the inlet and outlet openings, respectively. The inlet and outlet valves have blocking bodies 49 movable between open positions allowing flow through the openings and closed positions blocking flow through the openings. Each valve has a closing spring 55 or 57 biasing its blocking body to its closed position. Inlet and outlet control lugs 47 on the inlet and outlet connecting sleeves, respectively, project into the interior of the filter housing and directly contact the blocking bodies of the inlet and outlet valves, respectively, when the filter housing is attached to the filter container to move the blocking bodies from the closed positions to the open positions against biasing of the closing springs.

By forming the filter device in this manner, the filter housing can be simply, quickly and safely removed from the filter container, and then being simply and reliably connected. During the connection and disconnection, the filter housing inlet and outlet openings are opened and closed by the outlet valves, while the fluid container fluid connections are opened and closed by the rotary disk valve. The rotation of the filter housing is transferred to the rotary disk in a

particularly simple and effective manner by the connecting sleeves formed as extensions of the fluid connections.

Claims 1-3 stand rejected under 35 U.S.C. §102 as being anticipated by U.S. Patent No. 6,579,455 to Muzik, U.S. Patent No. 2,991,885 to Gutkowski, U.S. Patent No. 5,826,854 to Janvrin, U.S. Patent No. 4,615,812 to Darling or U.S. Pub. No. US2002/0185425 to Basset. The Muzik patent is cited for a filter cartridge 22 with an inlet flange 40 and an outlet flange 42 engaged in a fluid manifold (Fig. 9) with a bayonet connection and with a rotary disk 48 that acts as a blocking element. The Gutkowski patent is cited for a disk valve 74 that rotates to an open position as a filter housing 85 with its lugs 98 are bayonet fitted to the manifold head 54. The Janvrin patent is cited for a filter 18 connected via bayonet coupling to manifold 12 and actuating a rotary valve disk 14. The Basset patent is also alleged to have a rotary closure formed by a rotating blocking element 26. The Darling patent is cited for a bayonet connection between a cover inner filter housing 14 and an outer housing 12, where, upon rotation of the cover 18/inner housing 14, a valve disk 32 on filter housing 14 and a valve disk 30 on the manifold base ring 30 move together to allow communication between manifold 30 and filter 14.

Claims 4-5 stand rejected under 35 U.S.C. §103 as being unpatentable over the Muzik patent in view of U.S. Patent No. 5,601,710 to Yoon, U.S. Patent No. 5,753,111 to Patton or U.S. Patent No. 3,595,397 to Abos. The Yoon, Patton and Abos patents are cited for inlet outlet projections inserted into a filter housing from a manifold to actuate a closure upon connection of a filter to a manifold. In support of the rejection, it is alleged that it would be obvious to add such features to the Muzik device.

Since independent claim 9 includes the limitations of original claims 1-5, only the rejection of the claims is allegedly as being obvious over the Musik patent in view of the Yoon, Patton or Abos patent is discussed in detail herein. The rejection based on anticipation over the Musik, Gutowski, Janvrin, Darling or Bassett patent or publication is believed to be moot in view of the new independent claim.

Relative to the Musik patent, receptacle disk 48 is alleged to provide the claimed rotary disk valve. The Musik receptacle disk valve is rotatably coupled to upper plate 46 by a shaft 52. The upper plate includes inlet port 56 and an outlet port 58. Inlet port 60 and outlet port 62 are provided in receptacle disk 48 for mating with the filter ports 36 and 38. The Musik receptacle disk 48 does not have connecting sleeves forming extensions of the fluid container connections (apparently equated to the upper plate ports 56 and 58) for rotational motion of the filter housing to drive a rotary disk valve (Musik receptacle disk 48), as claimed.

Since the Yoon, Patton and Abos patents are merely cited relative to inlet and outlet projections to actuate a valve, they do not disclose or render obvious the claimed connecting sleeves on a rotary disk valve. None of the Yoon, Patton or the Abos patents disclose such connecting sleeves on a rotary disk valve. Thus, the secondary references do not cure the deficiencies noted above relative to the Musik patent.

Relative to the claimed bayonet connection, reference is apparently made to the engagement of outlet flange 42 with retention surface 72 as well as the engagement retention surface 74 and inlet flange 40 in the Musik patent. However, such connection is not considered a “bayonet” connection as such term is normally used as including radially extending members

fitting into notches that are brought into and out of alignment for separation and locking, respectively. Thus, the Musik patent does not disclose the bayonet catch recited in claim 9.

Further, no evidence of record or reason is provided for adding the valves of the Yoon, Patton or Abos patent to the Musik patent. Without such reason or suggestion, no prima facie case of obviousness is established. More than ordinary skill in the art would be necessary to incorporate the valves the secondary citation into the rotary connection of the Musik patent.

Accordingly, claim 9 is patentably distinguishable over the cited patents.

Claims 10-16, being dependent upon claim 9, are also allowable for the above reasons. Moreover, these dependent claims recite additional features further distinguishing them over the cited patent documents.

Claim 10 is further distinguished by the fluid container comprising a hydraulic tank.

Claims 11-13 correspond to original claims 6-8 that are indicated as being allowable if rewritten to overcome the rejection for indefiniteness and if rewritten in independent form. Thus, the record will not be burdened with the comparison of these claims and the cited patent documents.

Claim 14 is further distinguished by the bayonet catch comprising bayonet ribs on a peripheral surface of the filter housing, and recesses opening inwardly on a bayonet ring. Such structure is not disclosed in the citations, particularly in the cited Musik patent.

Claim 15 is further distinguished by the inlet and outlet connecting sleeves extending into the inlet and outlet openings in the filter housing. As noted above, such structure is not disclosed in the Musik patent.

Claim 16 is further distinguished by the separate tank compartment. No such tank compartment appears to be disclosed in the cited patent documents.

In view of the foregoing, claims 9-16 are allowable. Prompt and favorable action is solicited.

Respectfully submitted,



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Dated: April 10, 2008